

FOR MYSORE STATE

Development (1950) Department.

MS SERIES.

G.O. No. 1351

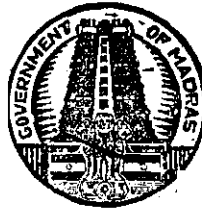
Dated 4-4-1950.

[Despatch Abstract.]

1351
2-4-50.

Acts - Madras Shops and Establishments Act, 1947 -
Shops situated inside the premises of theatres -
Weekly Holiday and opening and closing hours - Exempted.

MISCELLANEOUS



DEVELOPMENT DEPARTMENT

G.O. No. 1351, dated 4th April 1950

Acts—Madras Shops and Establishments Act, 1947—Shops situated inside the premises of theatres—Weekly holidays and opening and closing hours—Exempted

READ—the following paper :—

From the Commissioner of Labour, dated 8th February 1950, No. F-6-1974/50:

Order—No. 1351, Development, dated 4th April 1950.

The following notifications will be published in the *Fort St. George Gazette* in English and in the languages of the State. The Senior Translator to Government is requested to supply the Superintendent, Government Press, with the requisite translations of the notifications.

NOTIFICATION I.

In exercise of the powers conferred by section 6 of the Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947), His Excellency the Governor of Madras hereby exempts all shops situated inside the premises of theatres from the provisions of section 11 (1) of the said Act.

NOTIFICATION II.

In exercise of the powers conferred by section 6 of the Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947), His Excellency the Governor of Madras hereby exempts all shops situated inside the premises of theatres from the provisions of section 7 (1) of the said Act, subject to the condition that the said shops observe the opening and closing hours fixed for the theatres.

(By order of His Excellency the Governor)

R. M. SUNDARAM,
Secretary to Government.

To the Commissioner of Labour.

„ the Superintendent, Government Press, for publication.

„ the Senior Translator to Government (if any).

„ the all District Magistrates.

„ the Commissioners of Municipalities (through the Chairmen).

„ the all District Panchayat Officers (through the Inspector of Municipal Councils and Local Bodies).

„ the Commissioner, Corporation of Madras (through the Mayor).

„ the Commissioner of Police.

Copy to the Legal Department.

Secretary to the Government of India, Ministry of Labour, New Delhi (4 copies).

DEVELOPMENT DEPARTMENT

Sub: Acts - Madras Shops and Establishments Act, 1947- Shops situated in theatres- Weekly holidays and closing hours.

Ref: From the C.L.No. F.6.1974/50, dated 8-2-50.

To A.S.

... ..

There is no provision in the Madras shops and Establishments Act, 1947 prescribing that theatres should remain entirely closed on one day in a week. But under section 11(1) of the Act, shops in theatres shall remain closed on one day in a week like other shops situated outside. The C.L. reports that there is not generally more than one shop in each theatre and that persons attending the theatre on the day on which the shop remains closed, are put to difficulty in getting their requirements on that day. He therefore recommends that shops situated inside the premises of a theatre may be exempted from section 11(1) of the Act. This exemption will not affect the persons employed in such shops ~~xxxx~~ as they will continue to get their weekly holiday under section 11(2).

2. In G.O. 2701 Devt., dated 20-5-49 the Govt. have fixed opening and closing hours for shops, theatres etc. According to this order, no theatre shall be opened earlier than 9 A.M. on Sundays and other public holidays and 1 P.M. on all other days or closed on any day later than 1-30 A.M. and no shop shall be opened on any day earlier than 6 A.M. or closed on any day later than 10 P.M. It will be seen that the theatres and the shops situated in them have different opening and closing hours. The C.L. states that shops in theatres have business only during the hours when the Public visit the theatres. He therefore recommends that opening and closing hours fixed for theatres may be made applicable to the shops situated in them.

For orders whether the recommendations of the C.L. at 'A' and 'B' above may be accepted.

May be accepted. Legal may see as to whether the interpretation of the Act by the Commissioner is in order.

Sd/ C.P.G.
28-2-50.

Sd/P.S.V.
1-3-50. S.

Legal.

LEGAL DEPARTMENT.

The commissioner's view in parag.2 on p 1 c.f is correct
and his recommendations are accepted.

Sd/.....
333-50. Dev.

Dev. Dept.

To: A.S.

Notes from page 1 above may be perused.
The case may be circulated for approval of the proposals at 'A'
and 'B' on page 1 above.

C.P.G. Sd/.....
8-3-50. 3-3-50.

H.S.R. 12-3.
H.M(L.R.)

To: A.S.

Orders above.

A draft order is submitted for approval. Legal may
see before issue.

C.P.G.
24-3-50. Legal.

Legal Department.

The draft notifications are in order.

Sd/.....
29-3-50.

Dev. Dept.

To: A.S.

Legal Dept's note on page 2 above may be perused.
The draft order may issue.

C.P.G.
1-4-50.

True copy-